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Attorneys for Defendants

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA
UNLIMITED CIVIL JURISDICTION**

PALANTIR TECHNOLOGIES INC.,

Plaintiff,

v.

MARC L. ABRAMOWITZ, in his individual
capacity and as trustee of the MARC
ABRAMOWITZ CHARITABLE TRUST NO.
2, KT4 PARTNERS LLC, and DOES 1 through
50, inclusive,

Defendants.

Case No. 16CV299476

**DEFENDANT MARC L. ABRAMOWITZ'S
RESPONSES AND OBJECTIONS TO
PLAINTIFF PALANTIR TECHNOLOGIES
INC.'S FIRST SET OF FORM
INTERROGATORIES**

Complaint filed: September 1, 2016
Trial date: Not set

1 PROPOUNDING PARTY: Palantir Technologies Inc.

2 RESPONDING PARTY: Marc L. Abramowitz

3 SET NO.: One (1)

4

5 Pursuant to California Code of Civil Procedure section 2030.010 *et seq.*, Defendant Marc L.
6 Abramowitz (“Abramowitz”) hereby responds and objects to Plaintiff Palantir Technologies Inc.’s
7 (“Plaintiff”) First Set of Form Interrogatories to Defendant Abramowitz (the “Form
8 Interrogatories”). By asserting the responses and objections stated below (the “Responses”),
9 Abramowitz does not waive, and expressly reserves, his right to challenge the relevance and
10 admissibility of the Form Interrogatories and to object to use of the Form Interrogatories, and any
11 Responses to the Form Interrogatories, in any subsequent proceeding or trial.

12 Abramowitz provides these Responses on the basis of the information presently known by
13 him. Abramowitz’s discovery, investigation, and preparation for trial are not yet complete.
14 Accordingly, Abramowitz reserves the right to supplement or amend his Responses should
15 additional responsive or relevant information or documents be discovered as his investigation
16 proceeds. Further, Abramowitz’s failure to object to an Form Interrogatory on a particular ground
17 shall not be construed as a waiver of his right to object on that ground or any additional ground at
18 any time.

19 **GENERAL OBJECTIONS**

20 Abramowitz incorporates the following objections (the “General Objections”) into each and
21 every specific Response and each and every amendment, supplement, or modification to Responses
22 hereinafter provided. Abramowitz does not waive any General Objections in response to any Form
23 Interrogatory. Certain General Objections may be specifically repeated in specific Responses for
24 emphasis, but assertion of a specific objection, or reference to a certain General Objection, is not
25 intended to constitute a waiver of General Objections that are not specifically stated therein. Any
26 Response is subject to the limitations, objections, and exceptions set forth below.

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1 1. Abramowitz objects to each Form Interrogatory to the extent it purports to impose
2 any obligation beyond that required under the California Rules of Civil Procedure, the California
3 Evidence Code, or any other applicable statute, rule, or order.

4 2. Abramowitz's Response to a particular Form Interrogatory shall not be deemed an
5 admission or acknowledgement that such Form Interrogatory calls for information that is relevant
6 to any party's claim or defense or is not unduly burdensome, and is without prejudice to
7 Abramowitz's right to contend at trial or any stage of this proceeding (or any other action or
8 proceeding) that the requested information is inadmissible, irrelevant, immaterial, or otherwise
9 objectionable.

10 3. Abramowitz objects to each Form Interrogatory to the extent it seeks information
11 protected from disclosure by the attorney-client privilege, the attorney work-product doctrine, the
12 common interest privilege, and/or any other privileges or immunities recognized by law
13 ("Privileged Information"). Any undertaking to make information available should be understood
14 specifically to exclude Privileged Information.

15 4. Abramowitz objects to each Form Interrogatory to the extent it contains
16 inappropriate express and/or implicit characterizations. A statement by Abramowitz in a Response
17 that he will provide information does not mean that Abramowitz adopts, admits, or otherwise
18 agrees whatsoever with any such characterizations.

19 5. Abramowitz objects to each Interrogatory as unduly burdensome because Plaintiff's
20 operative pleading in this action is unsettled. On or around June 7, 2019, Plaintiff replaced its lead
21 counsel in this action. On June 27, 2019, Plaintiff filed a Motion for Leave to File a Third
22 Amended Complaint ("Motion"). A hearing on Plaintiff's Motion is scheduled for September 24,
23 2019. Should the Court permit Plaintiff to amend its complaint, the complaint will contain a claim
24 arising under federal law, rendering the case removable to federal court. Because these discovery
25 requests will be without effect in the event of removal, responding to the requests at this time
26 would be unduly burdensome, oppressive, and harassing. *Wayne Merritt Motor Co. v. New*
27 *Hampshire Ins. Co.*, No. 11-CV-01762-LHK, 2012 WL 3071431, at *7 (N.D. Cal. July 26, 2012)
28

1 (“Many courts have found that, when a case is removed from state court to federal court, any pre-
2 removal discovery requests are no longer effective.”).

3 6. Abramowitz objects to each Interrogatory to the extent it calls for a response prior to
4 Palantir’s submission of a disclosure that satisfies California Code of Civil Procedure § 2019.210.
5 This issue is the subject of Defendants’ Petition for a Writ of Mandate.

6 **OBJECTIONS TO DEFINITIONS**

7 1. Abramowitz objects to the definition of “INCIDENT” on the grounds that it is
8 vague, ambiguous, overly broad, and potentially obsolete in light of Plaintiff’s Motion, rendering
9 the Form Interrogatories containing the term unduly burdensome. Abramowitz further objects to
10 the definition of “INCIDENT” to the extent it seeks information that is neither relevant nor
11 reasonably calculated to lead to the discovery of admissible evidence.

12 **SPECIFIC OBJECTIONS AND RESPONSES**

13 **FORM INTERROGATORY NO. 1.1:**

14 State the name, ADDRESS, telephone number, and relationship to you of each PERSON
15 who prepared or assisted in the preparation of the responses to these interrogatories. (*Do not*
16 *identify anyone who simply typed or reproduced the responses.*)

17 **RESPONSE TO FORM INTERROGATORY NO. 1.1:**

18 Abramowitz incorporates by reference the Preliminary Statement, General Objections, and
19 the Objections to Definitions set forth above.

20 Subject to and without waiving any objections, Abramowitz responds that it will respond to
21 this Interrogatory, if at all, within a reasonable time following the Court’s ruling on Plaintiff’s
22 Motion for Leave to File a Third Amended Complaint.

23 **FORM INTERROGATORY NO. 2.1:**

24 State:

25 (a) your name;

26 (b) every name you have used in the past; and

27 (c) the dates you used each name.

RESPONSE TO FORM INTERROGATORY NO. 2.1

Abramowitz incorporates by reference the Preliminary Statement, General Objections, and the Objections to Definitions set forth above.

Subject to and without waiving any objections, Abramowitz responds that he will further respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on Plaintiff's Motion for Leave to File a Third Amended Complaint.

FORM INTERROGATORY NO. 2.2:

State the date and place of your birth.

RESPONSE TO FORM INTERROGATORY NO. 2.2:

Abramowitz incorporates by reference the Preliminary Statement, General Objections, and the Objections to Definitions set forth above.

Subject to and without waiving any objections, Abramowitz responds that he will further respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on Plaintiff's Motion for Leave to File a Third Amended Complaint.

FORM INTERROGATORY NO. 2.5:

State:

(a) your present residence ADDRESS;

(b) your residence ADDRESSES for the past five years; and

(c) the dates you lived at each ADDRESS.

RESPONSE TO FORM INTERROGATORY NO. 2.5:

Abramowitz incorporates by reference the Preliminary Statement, General Objections, and the Objections to Definitions set forth above.

Subject to and without waiving any objections, Abramowitz responds that he will further respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on Plaintiff's Motion for Leave to File a Third Amended Complaint.

FORM INTERROGATORY NO. 2.6:

State:

(a) the name, ADDRESS, and telephone number of your present employer or place of self-employment; and

(b) the name, ADDRESS, dates of employment, job title, and nature of work for each employer or self-employment you have had from five years before the INCIDENT until today.

RESPONSE TO FORM INTERROGATORY NO. 2.6:

Abramowitz incorporates by reference the Preliminary Statement, General Objections, and the Objections to Definitions set forth above.

Abramowitz objects to this Form Interrogatory to the extent it incorporates the definition of “INCIDENT” on the grounds that it is vague, ambiguous, overly broad, and potentially obsolete in light of Plaintiff’s Motion, rendering the Form Interrogatories containing the term unduly burdensome. Based on the definition of “INCIDENT,” Abramowitz cannot determine the precise nature of the information sought and, therefore, cannot answer without potentially providing an inaccurate or incomplete response. Abramowitz further objects to the definition of “INCIDENT” to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving any objections, Abramowitz responds that he will further respond to this Interrogatory, if at all, within a reasonable time following the Court’s ruling on Plaintiff’s Motion for Leave to File a Third Amended Complaint.

FORM INTERROGATORY NO. 2.7:

State:

(a) the name and ADDRESS of each school or other academic or vocational institution you have attended, beginning with high school;

(b) the dates you attended;

(c) the highest grade level you have completed; and

(d) the degrees received.

RESPONSE TO FORM INTERROGATORY NO. 2.7:

Abramowitz incorporates by reference the Preliminary Statement, General Objections, and the Objections to Definitions set forth above.

Subject to and without waiving any objections, Abramowitz responds that he will further respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on Plaintiff's Motion for Leave to File a Third Amended Complaint.

FORM INTERROGATORY NO. 2.8:

Have you ever been convicted of a felony? If so, for each conviction state:

(a) the city and state where you were convicted;

(b) the date of conviction;

(c) the offense; and

(d) the court and case number.

RESPONSE TO FORM INTERROGATORY NO. 2.8:

Abramowitz incorporates by reference the Preliminary Statement, General Objections, and the Objections to Definition set forth above.

Abramowitz further objects to the Form Interrogatory to the extent that it seeks information that is not relevant to any claim or defense of any party in this litigation nor proportional to the needs of the case. Abramowitz also objects to the extent the Form Interrogatory seeks information that is publicly available, available from other parties, or otherwise already within Plaintiff's possession, custody, or control.

Subject to and without waiving any objections, Abramowitz responds that he will further respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on Plaintiff's Motion for Leave to File a Third Amended Complaint.

FORM INTERROGATORY NO. 2.11:

At the time of the INCIDENT were you acting as an agent or employee for any PERSON?
If so, state:

(a) the name, ADDRESS, and telephone number of that PERSON; and

(b) a description of your duties.

RESPONSE TO FORM INTERROGATORY NO. 2.11:

Abramowitz incorporates by reference the Preliminary Statement, General Objections, and the Objections to Definitions set forth above.

Abramowitz objects to this Form Interrogatory to the extent it incorporates the definition of “INCIDENT” on the grounds that it is vague, ambiguous, overly broad, and potentially obsolete in light of Plaintiff’s Motion, rendering the Form Interrogatories containing the term unduly burdensome. Based on the definition of “INCIDENT,” Abramowitz cannot determine the precise nature of the information sought and, therefore, cannot answer without potentially providing an inaccurate or incomplete response. Abramowitz further objects to the definition of “INCIDENT” to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Abramowitz further objects to this Interrogatory to the extent that it seeks information or documents protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable state or federal privilege, doctrine, or immunity. Abramowitz will not provide information subject to any such privilege, doctrine, or immunity.

Subject to and without waiving any objections, Abramowitz responds that he will further respond to this Interrogatory, if at all, within a reasonable time following the Court’s ruling on Plaintiff’s Motion for Leave to File a Third Amended Complaint.

FORM INTERROGATORY NO. 4.1:

At the time of the INCIDENT, was there in effect any policy of insurance through which you were or might be insured in any manner (for example, primary, pro-rata, or excess liability coverage or medical expense coverage) for the damages, claims, or actions that have arisen out of the INCIDENT? If so, for each policy state:

(a) the kind of coverage;

(b) the name and ADDRESS of the insurance company;

(c) the name, ADDRESS, and telephone number of each named insured;

(d) the policy number;

(e) the limits of coverage for each type of coverage contained in the policy;

(f) whether any reservation of rights or controversy or coverage dispute exists between you and the insurance company; and

(g) the name, ADDRESS, and telephone number of the custodian of the policy.

RESPONSE TO FORM INTERROGATORY NO. 4.1:

Abramowitz incorporates by reference the Preliminary Statement, General Objections, and the Objections to Definitions set forth above.

Abramowitz objects to the Form Interrogatory to the extent that it seeks information that is not relevant to any claim or defense of any party in this litigation nor proportional to the needs of the case. Abramowitz also objects to the extent the Form Interrogatory seeks information that is publicly available, available from other parties, or otherwise already within Plaintiff's possession, custody, or control.

Abramowitz further objects to this Form Interrogatory to the extent it incorporates the definition of "INCIDENT" on the grounds that it is vague, ambiguous, overly broad, and potentially obsolete in light of Plaintiff's Motion, rendering the Form Interrogatories containing the term unduly burdensome. Based on the definition of "INCIDENT," Abramowitz cannot determine the precise nature of the information and, therefore, cannot answer without potentially providing an inaccurate or incomplete response. Abramowitz further objects to the definition of "INCIDENT" to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving any objections, Abramowitz responds that he will further respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on Plaintiff's Motion for Leave to File a Third Amended Complaint.

FORM INTERROGATORY NO. 4.2:

Are you self-insured under any statute for the damages, claims, or actions that have arisen out of the INCIDENT? If so, specify the statute.

RESPONSE TO FORM INTERROGATORY NO. 4.2:

Abramowitz incorporates by reference the Preliminary Statement, General Objections, and the Objections to Definitions set forth above.

1 Abramowitz objects to the Form Interrogatory to the extent that it seeks information that is
 2 not relevant to any claim or defense of any party in this litigation nor proportional to the needs of
 3 the case. Abramowitz also objects to the extent the Form Interrogatory seeks information that is
 4 publicly available, available from other parties, or otherwise already within Plaintiff's possession,
 5 custody, or control.

6 Abramowitz further objects to this Form Interrogatory to the extent it incorporates the
 7 definition of "INCIDENT" on the grounds that it is vague, ambiguous, overly broad, and
 8 potentially obsolete in light of Plaintiff's Motion, rendering the Form Interrogatories containing the
 9 term unduly burdensome. Based on the definition of "INCIDENT," Abramowitz cannot determine
 10 the precise nature of the information sought and, therefore, cannot answer without potentially
 11 providing an inaccurate or incomplete response. Abramowitz further objects to the definition of
 12 "INCIDENT" to the extent it seeks information that is neither relevant nor reasonably calculated to
 13 lead to the discovery of admissible evidence.

14 Subject to and without waiving any objections, Abramowitz responds that he will further
 15 respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on
 16 Plaintiff's Motion for Leave to File a Third Amended Complaint.

17 **FORM INTERROGATORY NO. 12.1:**

18 State the name, ADDRESS, and telephone number of each individual:

19 (a) who witnessed the INCIDENT or the events occurring immediately before or after the
 20 INCIDENT;

21 (b) who made any statement at the scene of the INCIDENT;

22 (c) who heard any statements made about the INCIDENT by any individual at the scene;

23 and

24 (d) who YOU OR ANYONE ACTING ON YOUR BEHALF claim has knowledge of the

25 INCIDENT (except for expert witnesses covered by Code of Civil Procedure section 2034).

26 **RESPONSE TO FORM INTERROGATORY NO. 12.1:**

27 Abramowitz incorporates by reference the Preliminary Statement, General Objections, and
 28 the Objections to Definitions set forth above.

Abramowitz objects to this Form Interrogatory to the extent it incorporates the definition of “INCIDENT” on the grounds that it is vague, ambiguous, overly broad, and potentially obsolete in light of Plaintiff’s Motion, rendering the Form Interrogatories containing the term unduly burdensome. Based on the definition of “INCIDENT,” Abramowitz cannot determine the precise nature of the information sought and, therefore, cannot answer without potentially providing an inaccurate or incomplete response. Abramowitz further objects to the definition of “INCIDENT” to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Abramowitz further objects to this Form Interrogatory to the extent that it seeks information or documents protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable state or federal privilege, doctrine, or immunity. Abramowitz will not provide information subject to any such privilege, doctrine, or immunity.

Subject to and without waiving any objections, Abramowitz responds that he will further respond to this Interrogatory, if at all, within a reasonable time following the Court’s ruling on Plaintiff’s Motion for Leave to File a Third Amended Complaint.

FORM INTERROGATORY NO. 12.2:

Have YOU OR ANYONE ACTING ON YOUR BEHALF interviewed any individual concerning the INCIDENT? If so, for each individual state:

(a) the name, ADDRESS, and telephone number of the individual interviewed;

(b) the date of the interview; and

(c) the name, ADDRESS, and telephone number of the PERSON who conducted the interview.

RESPONSE TO FORM INTERROGATORY NO. 12.2:

Abramowitz incorporates by reference the Preliminary Statement, General Objections, and the Objections to Definitions set forth above.

Abramowitz objects to this Form Interrogatory to the extent it incorporates the definition of “INCIDENT” on the grounds that it is vague, ambiguous, overly broad, and potentially obsolete in light of Plaintiff’s Motion, rendering the Form Interrogatories containing the term unduly

1 burdensome. Based on the definition of “INCIDENT,” Abramowitz cannot determine the precise
 2 nature of the information sought and, therefore, cannot answer without potentially providing an
 3 inaccurate or incomplete response. Abramowitz further objects to the definition of “INCIDENT”
 4 to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the
 5 discovery of admissible evidence.

6 Abramowitz further objects to this Interrogatory to the extent that it seeks information or
 7 documents protected by the attorney-client privilege, the attorney work product doctrine, and/or
 8 any other applicable state or federal privilege, doctrine, or immunity. Abramowitz will not provide
 9 information subject to any such privilege, doctrine, or immunity.

10 Subject to and without waiving any objections, Abramowitz responds that he will further
 11 respond to this Interrogatory, if at all, within a reasonable time following the Court’s ruling on
 12 Plaintiff’s Motion for Leave to File a Third Amended Complaint.

13 **FORM INTERROGATORY NO. 12.3:**

14 Have YOU OR ANYONE ACTING ON YOUR BEHALF obtained a written or recorded
 15 statement from any individual concerning the INCIDENT? If so, for each statement state:

16 (a) the name, ADDRESS, and telephone number of the individual from whom the statement
 17 was obtained;

18 (b) the name, ADDRESS, and telephone number of the individual who obtained the
 19 statement;

20 (c) the date the statement was obtained; and

21 (d) the name, ADDRESS, and telephone number of each PERSON who has the original
 22 statement or a copy.

23 **RESPONSE TO FORM INTERROGATORY NO. 12.3:**

24 Abramowitz incorporates by reference the Preliminary Statement, General Objections, and
 25 the Objections to Definitions set forth above.

26 Abramowitz objects to this Form Interrogatory to the extent it incorporates the definition of
 27 “INCIDENT” on the grounds that it is vague, ambiguous, overly broad, and potentially obsolete in
 28 light of Plaintiff’s Motion, rendering the Form Interrogatories containing the term unduly

1 burdensome. Based on the definition of “INCIDENT,” Abramowitz cannot determine the precise
 2 nature of the information sought and, therefore, cannot answer without potentially providing an
 3 inaccurate or incomplete response. Abramowitz further objects to the definition of “INCIDENT”
 4 to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the
 5 discovery of admissible evidence.

6 Abramowitz further objects to this Interrogatory to the extent that it seeks information or
 7 documents protected by the attorney-client privilege, the attorney work product doctrine, and/or
 8 any other applicable state or federal privilege, doctrine, or immunity. Abramowitz will not provide
 9 information subject to any such privilege, doctrine, or immunity.

10 Subject to and without waiving any objections, Abramowitz responds that he will further
 11 respond to this Interrogatory, if at all, within a reasonable time following the Court’s ruling on
 12 Plaintiff’s Motion for Leave to File a Third Amended Complaint.

13 **FORM INTERROGATORY NO. 12.5:**

14 Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any diagram,
 15 reproduction, or model of any place or thing (except for items developed by expert witnesses
 16 covered by Code of Civil Procedure sections 2034.210-2034.310) concerning the INCIDENT? If
 17 so, for each item state:

18 (a) the type (i.e., diagram, reproduction, or model);

19 (b) the subject matter; and

20 (c) the name, ADDRESS, and telephone number of each PERSON who has it.

21 **RESPONSE TO FORM INTERROGATORY NO. 12.5:**

22 Abramowitz incorporates by reference the Preliminary Statement, General Objections, and
 23 the Objections to Definitions set forth above.

24 Abramowitz objects to this Form Interrogatory to the extent it incorporates the definition of
 25 “INCIDENT” on the grounds that it is vague, ambiguous, overly broad, and potentially obsolete in
 26 light of Plaintiff’s Motion, rendering the Form Interrogatories containing the term unduly
 27 burdensome. Based on the definition of “INCIDENT,” Abramowitz cannot determine the precise
 28 nature of the information sought and, therefore, cannot answer without potentially providing an

1 inaccurate or incomplete response. Abramowitz further objects to the definition of “INCIDENT”
 2 to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the
 3 discovery of admissible evidence.

4 Abramowitz further objects to this Interrogatory to the extent that it seeks information or
 5 documents protected by the attorney-client privilege, the attorney work product doctrine, and/or
 6 any other applicable state or federal privilege, doctrine, or immunity. Abramowitz will not provide
 7 information subject to any such privilege, doctrine, or immunity.

8 Subject to and without waiving any objections, Abramowitz responds that he will further
 9 respond to this Interrogatory, if at all, within a reasonable time following the Court’s ruling on
 10 Plaintiff’s Motion for Leave to File a Third Amended Complaint.

11 **FORM INTERROGATORY NO. 13.1:**

12 Have YOU OR ANYONE ACTING ON YOUR BEHALF conducted surveillance of any
 13 individual involved in the INCIDENT or any party to this action? If so, for each surveillance state:

14 (a) the name, ADDRESS, and telephone number of the individual or party;

15 (b) the time, date, and place of the surveillance;

16 (c) the name, ADDRESS, and telephone number of the individual who conducted the
 17 surveillance; and

18 (d) the name, ADDRESS, and telephone number of each PERSON who has the original or
 19 a copy of any surveillance photograph, film, or videotape.

20 **RESPONSE TO FORM INTERROGATORY NO. 13.1:**

21 Abramowitz incorporates by reference the Preliminary Statement, General Objections, and
 22 the Objections to Definitions set forth above.

23 Abramowitz objects to this Form Interrogatory to the extent it incorporates the definition of
 24 “INCIDENT” on the grounds that it is vague, ambiguous, overly broad, and potentially obsolete in
 25 light of Plaintiff’s Motion, rendering the Form Interrogatories containing the term unduly
 26 burdensome. Based on the definition of “INCIDENT,” Abramowitz cannot determine the precise
 27 nature of the information sought and, therefore, cannot answer without potentially providing an
 28 inaccurate or incomplete response. Abramowitz further objects to the definition of “INCIDENT”

1 to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the
2 discovery of admissible evidence.

3 Abramowitz further objects to this Interrogatory to the extent that it seeks information or
4 documents protected by the attorney-client privilege, the attorney work product doctrine, and/or
5 any other applicable state or federal privilege, doctrine, or immunity. Abramowitz will not provide
6 information subject to any such privilege, doctrine, or immunity.

7 Subject to and without waiving any objections, Abramowitz responds that he will further
8 respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on
9 Plaintiff's Motion for Leave to File a Third Amended Complaint.

10 **FORM INTERROGATORY NO. 13.2:**

11 Has a written report been prepared on the surveillance? If so, for each written report state:

12 (a) the title;

13 (b) the date;

14 (c) the name, ADDRESS, and telephone number of the individual who prepared the report;
15 and

16 (d) the name, ADDRESS, and telephone number of each PERSON who has the original or
17 a copy.

18 **RESPONSE TO FORM INTERROGATORY NO. 13.2:**

19 Abramowitz incorporates by reference the Preliminary Statement, General Objections, and
20 the Objections to Definitions set forth above.

21 Abramowitz objects to this Form Interrogatory to the extent it incorporates the definition of
22 "INCIDENT" (by reference to Form Interrogatory 13.1) on the grounds that it is vague,
23 ambiguous, overly broad, and potentially obsolete in light of Plaintiff's Motion, rendering the Form
24 Interrogatories containing the term unduly burdensome. Based on the definition of "INCIDENT,"
25 Abramowitz cannot determine the precise nature of the information sought and, therefore, cannot
26 answer without potentially providing an inaccurate or incomplete response. Abramowitz further
27 objects to the definition of "INCIDENT" to the extent it seeks information that is neither relevant
28 nor reasonably calculated to lead to the discovery of admissible evidence.

1 Abramowitz further objects to this Interrogatory to the extent that it seeks information or
 2 documents protected by the attorney-client privilege, the attorney work product doctrine, and/or
 3 any other applicable state or federal privilege, doctrine, or immunity. Abramowitz will not provide
 4 information subject to any such privilege, doctrine, or immunity.

5 Subject to and without waiving any objections, Abramowitz responds that he will further
 6 respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on
 7 Plaintiff's Motion for Leave to File a Third Amended Complaint.

8 **FORM INTERROGATORY NO. 14.1:**

9 Do YOU OR ANYONE ACTING ON YOUR BEHALF contend that any PERSON
 10 involved in the INCIDENT violated any statute, ordinance, or regulation and that the violation was
 11 a legal (proximate) cause of the INCIDENT? If so, identify the name, ADDRESS, and telephone
 12 number of each PERSON and the statute, ordinance, or regulation that was violated.

13 **RESPONSE TO FORM INTERROGATORY NO. 14.1:**

14 Abramowitz incorporates by reference the Preliminary Statement, General Objections, and
 15 the Objections to Definitions set forth above.

16 Abramowitz further objects to the Form Interrogatory to the extent that it seeks information
 17 that is not relevant to any claim or defense of any party in this litigation nor proportional to the
 18 needs of the case. Abramowitz also objects to the extent the Form Interrogatory seeks information
 19 that is publicly available, available from other parties, or otherwise already within Plaintiff's
 20 possession, custody, or control.

21 Abramowitz objects to this Form Interrogatory to the extent it incorporates the definition of
 22 "INCIDENT" on the grounds that it is vague, ambiguous, overly broad, and potentially obsolete in
 23 light of Plaintiff's Motion, rendering the Form Interrogatories containing the term unduly
 24 burdensome. Based on the definition of "INCIDENT," Abramowitz cannot determine the precise
 25 nature of the information sought and, therefore, cannot answer without potentially providing an
 26 inaccurate or incomplete response. Abramowitz further objects to the definition of "INCIDENT"
 27 to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the
 28 discovery of admissible evidence.

1 Abramowitz further objects to this Interrogatory to the extent that it seeks information or
 2 documents protected by the attorney-client privilege, the attorney work product doctrine, and/or
 3 any other applicable state or federal privilege, doctrine, or immunity. Abramowitz will not provide
 4 information subject to any such privilege, doctrine, or immunity.

5 Subject to and without waiving any objections, Abramowitz responds that he will further
 6 respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on
 7 Plaintiff's Motion for Leave to File a Third Amended Complaint.

8 **FORM INTERROGATORY NO. 50.1:**

9 For each agreement alleged in the pleadings:

10 (a) identify each DOCUMENT that is part of the agreement and for each state the name,
 11 ADDRESS, and telephone number of each PERSON who has the DOCUMENT;

12 (b) state each part of the agreement not in writing, the name, ADDRESS, and telephone
 13 number of each PERSON agreeing to that provision, and the date that part of the agreement
 14 was made;

15 (c) identify all DOCUMENTS that evidence any part of the agreement not in writing and
 16 for each state the name ADDRESS, and telephone number of each PERSON who has the
 17 DOCUMENT;

18 (d) identify all DOCUMENTS that are part of any modification to the agreement, and for
 19 each state the name, ADDRESS, and telephone number of each PERSON who has the
 20 DOCUMENT;

21 (e) state each modification not in writing, the date, and the name, ADDRESS, and
 22 telephone number of each PERSON agreeing to the modification, and the date the
 23 modification was made;

24 (f) identify all DOCUMENTS that evidence any modification of the agreement not in
 25 writing and for each state the name, ADDRESS, and telephone number of each PERSON
 26 who has the DOCUMENT.

RESPONSE TO FORM INTERROGATORY NO. 50.1:

Abramowitz incorporates by reference the Preliminary Statement, General Objections, and the Objections to Definitions set forth above.

Abramowitz further objects to the Form Interrogatory to the extent that it seeks information that is not relevant to any claim or defense of any party in this litigation nor proportional to the needs of the case. Abramowitz also objects to the extent the Form Interrogatory seeks information that is publicly available, available from other parties, or otherwise already within Plaintiff's possession, custody, or control.

Abramowitz further objects to this Interrogatory to the extent that it seeks information or documents protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable state or federal privilege, doctrine, or immunity. Abramowitz will not provide information subject to any such privilege, doctrine, or immunity.

Subject to and without waiving any objections, Abramowitz responds that he will further respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on Plaintiff's Motion for Leave to File a Third Amended Complaint.

FORM INTERROGATORY NO. 50.2:

Was there a breach of any agreement alleged in the pleadings? If so, for each breach describe and give the date of every act or omission that you claim is the breach of the agreement.

RESPONSE TO FORM INTERROGATORY NO. 50.2:

Abramowitz incorporates by reference the Preliminary Statement, General Objections, and the Objections to Definitions set forth above.

Abramowitz objects to the Form Interrogatory to the extent that it seeks information that is not relevant to any claim or defense of any party in this litigation nor proportional to the needs of the case. Abramowitz also objects to the extent the Form Interrogatory seeks information that is publicly available, available from other parties, or otherwise already within Plaintiff's possession, custody, or control.

Abramowitz further objects to this Interrogatory to the extent that it seeks information or documents protected by the attorney-client privilege, the attorney work product doctrine, and/or

1 any other applicable state or federal privilege, doctrine, or immunity. Abramowitz will not provide
2 information subject to any such privilege, doctrine, or immunity.

3 Subject to and without waiving any objections, Abramowitz responds that he will further
4 respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on
5 Plaintiff's Motion for Leave to File a Third Amended Complaint.

6 **FORM INTERROGATORY NO. 50.3:**

7 Was performance of any agreement alleged in the pleadings excused? If so, identify each
8 agreement excused and state why performance was excused.

9 **RESPONSE TO FORM INTERROGATORY NO. 50.3:**

10 Abramowitz incorporates by reference the Preliminary Statement, General Objections, and
11 the Objections to Definitions set forth above.

12 Abramowitz objects to this Interrogatory to the extent that it seeks information or
13 documents protected by the attorney-client privilege, the attorney work product doctrine, and/or
14 any other applicable state or federal privilege, doctrine, or immunity. Abramowitz will not provide
15 information subject to any such privilege, doctrine, or immunity.

16 Subject to and without waiving any objections, Abramowitz responds that he will further
17 respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on
18 Plaintiff's Motion for Leave to File a Third Amended Complaint.

19 **FORM INTERROGATORY NO. 50.4:**

20 Was any agreement alleged in the pleadings terminated by mutual agreement, release,
21 accord and satisfaction, or novation? If so, identify each agreement terminated, the date of
22 termination, and the basis of the termination.

23 **RESPONSE TO FORM INTERROGATORY NO. 50.4:**

24 Abramowitz incorporates by reference the Preliminary Statement, General Objections, and
25 the Objections to Definitions set forth above.

26 Abramowitz objects to this Interrogatory to the extent that it seeks information or
27 documents protected by the attorney-client privilege, the attorney work product doctrine, and/or
28

1 any other applicable state or federal privilege, doctrine, or immunity. Abramowitz will not provide
2 information subject to any such privilege, doctrine, or immunity.

3 Subject to and without waiving any objections, Abramowitz responds that he will further
4 respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on
5 Plaintiff's Motion for Leave to File a Third Amended Complaint.

6 **FORM INTERROGATORY NO. 50.5:**

7 Is any agreement alleged in the pleadings unenforceable? If so, identify each unenforceable
8 agreement and state why it is unenforceable.

9 **RESPONSE TO FORM INTERROGATORY NO. 50.5:**

10 Abramowitz incorporates by reference the Preliminary Statement, General Objections, and
11 the Objections to Definitions set forth above.

12 Abramowitz objects to this Interrogatory to the extent that it seeks information or
13 documents protected by the attorney-client privilege, the attorney work product doctrine, and/or
14 any other applicable state or federal privilege, doctrine, or immunity. Abramowitz will not provide
15 information subject to any such privilege, doctrine, or immunity.

16 Subject to and without waiving any objections, Abramowitz responds that he will further
17 respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on
18 Plaintiff's Motion for Leave to File a Third Amended Complaint.

19 **FORM INTERROGATORY NO. 50.6:**

20 Is any agreement alleged in the pleadings ambiguous? If so, identify each ambiguous
21 agreement and state why it is ambiguous.

22 **RESPONSE TO FORM INTERROGATORY NO. 50.6:**

23 Abramowitz incorporates by reference the Preliminary Statement, General Objections, and
24 the Objections to Definitions set forth above.

25 Abramowitz objects to this Interrogatory to the extent that it seeks information or
26 documents protected by the attorney-client privilege, the attorney work product doctrine, and/or
27 any other applicable state or federal privilege, doctrine, or immunity. Abramowitz will not provide
28 information subject to any such privilege, doctrine, or immunity.

1 Subject to and without waiving any objections, Abramowitz responds that he will further
2 respond to this Interrogatory, if at all, within a reasonable time following the Court's ruling on
3 Plaintiff's Motion for Leave to File a Third Amended Complaint.

4
5 Dated: July 9, 2019

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